

Matter of Christie,
Del. Supr., 574 A.2d 845 (1990)

Disciplinary Rules: DLRPC 8.4(b)

Nature of Case:

Following a plea agreement entered into by Respondent and the State of Delaware, the Board on Professional Responsibility found as an aggravating factor that the Respondent had engaged in a pattern of repeated sexual misconduct involving male minors that seriously reflected on Respondent's ability to maintain his professional integrity. 574 A.2d at 848. As mitigating factors, the Board found it significant that Respondent had sought professional help, had been contrite and remorseful, had cooperated with the Department of Justice and the Disciplinary Counsel, and had freely admitted his violations. *Id.* The Board concluded that Respondent's conduct violated DLRPC 8.4(b) since the Rule "reaches instances of sexual misconduct or sexual exploitation of a nature indicating that the lawyer is unworthy of the confidence reposed in him or her". *Id.* at 851. The Respondent did not file exceptions to any of the findings or conclusions of the Board. *Id.*

Action Taken by the Court:

The Court held that the record before it supported the findings of fact and conclusions of law made by the Board. *Id.* at 852. The Court was aware of the fact that the misconduct occurred shortly after Respondent's admission to the Bar, while he was still a law clerk, and had never practiced law, and that as of April 16, 1990, the date of the opinion, Respondent had already been suspended on an interim basis for a period of three years. *Id.* at 854. In determining the appropriate sanctions to impose, the Court considered the record, the evidence of aggravating and mitigating factors, and the recommendations of both the Disciplinary Counsel and Respondent's attorney. *Id.*

A three-year prospective suspension was ordered, commencing on April 16, 1990 and ending on April 15, 1993.